

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

GAMALE VAUGHN

Criminal No. 20-227

[UNDER SEAL]

**FILED**

**INDICTMENT MEMORANDUM**

AUG 26 2020

CLERK U.S. DISTRICT COURT  
AND NOW comes the United States of America, by its attorneys: Scott W. Brady  
WESTERN DIST. OF PENNSYLVANIA

United States Attorney for the Western District of Pennsylvania, and Brendan J. McKenna,  
Assistant United States Attorney for said District, and submits this Indictment Memorandum to  
the Court:

**I. THE INDICTMENT**

A federal grand jury returned a one-count Indictment against the above-named  
defendant for an alleged violation of federal law:

<u>COUNT</u>	<u>OFFENSE/DATE</u>	<u>TITLE/SECTION</u>
1	Possession of a Firearm by a Convicted Felon	18 U.S.C. § 922(g)(1)
	On or about June 12, 2019	

**II. ELEMENTS OF THE OFFENSE**

**As to Count 1:**

In order for the crime of possession of a firearm by a convicted felon, in violation  
of 18 U.S.C. § 922(g)(1), to be established, the government must prove all of the following  
essential elements beyond a reasonable doubt:

1. The defendant knowingly possessed the firearm described in Count One of the Indictment;
2. At the time of the charged act, the defendant had been convicted of a felony, that is, a crime punishable by imprisonment for a term exceeding one year;
3. At the time of the charged act, the defendant knew that he had been convicted of a felony, that is, a crime punishable by imprisonment for a term exceeding one (1) year; and
4. The defendant's possession was in or affecting interstate or foreign commerce.

Third Circuit Model Criminal Jury Instruction 6.18.922G (modified).

### **III. PENALTIES**

#### **As to Count 1: Possession of a Firearm by a Convicted Felon (18 U.S.C. § 922(g)(1)):**

1. A term of imprisonment of not more than ten (10) years. However, if it is determined that the defendant has three previous convictions for a violent felony or a serious drug offense, or both, then pursuant to 18 U.S.C. § 924(e), the term of imprisonment is not less than fifteen (15) years to a maximum of life imprisonment.
2. A fine of not more than \$250,000 (18 U.S.C. § 3571(b)(3)).
3. A term of supervised release of three (3) years (or five (5) years if 18 U.S.C. § 924(e) applies) (18 U.S.C. § 3583).

### **IV. MANDATORY SPECIAL ASSESSMENT**

A mandatory special assessment of \$100.00 must be imposed at each count upon which the defendant is convicted, pursuant to 18 U.S.C. § 3013.

**V. RESTITUTION**

Not applicable in this case.

**VI. FORFEITURE**

As set forth in the Indictment, forfeiture may be applicable in this case.

Respectfully submitted,

SCOTT W. BRADY  
United States Attorney

*/s/ Brendan J. McKenna*  
BRENDAN J. MCKENNA  
Assistant U.S. Attorney  
PA ID No. 314315